



ATTENTION

Probate cases on this calendar are currently under review by the probate examiners. Review of some probate cases may not be completed and therefore have not been posted.

If your probate case has not been posted please check back again later.

Thank you for your patience.

Petition for Appointment of Probate Conservator of the Person (Prob. C. 1820, 182 2680-2682)

Age: 43		THU RYAN , Sister, is Petitioner and requests appointment as Successor Conservator of the Person. <i>(See Notes #1 and #2)</i>	NEEDS/PROBLEMS/COMMENTS: <u>Court Investigator advised rights on 4-10-12.</u> 1. The caption indicates that this petition is for conservatorship of the person only; however, Petitioner also filled out #1b for conservatorship of the estate. <u>Need clarification:</u> Is Petitioner requesting conservatorship of the estate also? If so, the Court will need further information to address bond. 2. Petitioner does not request medical consent powers at #1g; however, #9 is checked regarding medical treatment refers to a previous capacity declaration that was filed in connection with the existing conservatorship. <u>Need clarification:</u> Is Petitioner requesting medical consent powers? 3. Petitioner states at #4b that the Conservatee is receiving or is entitled to receive benefits from the U.S. Dept. of Veterans Affairs. Therefore, need proof of service of Notice of Hearing with a copy of the Petition <u>at least 15 days</u> prior to the hearing on the jurisdictional office of the Veterans Administration pursuant to Probate Code §1822(d), <u>or waiver of notice.</u> 4. Petitioner states at #5f that the Conservatee <u>is not</u> developmentally disabled; however, according to the Court Investigator's report filed 4-23-12, the Conservatee <u>is</u> developmentally disabled and is a client of Central Valley Regional Center. Therefore, need proof of service of Notice of Hearing with a copy of the Petition <u>at least 30 days</u> prior to the hearing on CVRC pursuant to Probate Code §1822(e), <u>or waiver of notice.</u> 5. Need Confidential Supplemental Information (Mandatory Judicial Council Form GC-312). 6. Need Video Receipt per Local Rule 7.15.8.
DOB: 8-12-68			
<input type="checkbox"/>	Aff.Sub.Wit.		
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<input checked="" type="checkbox"/>	Notice of Hrg	NA LANDSEADAL , Sister, was appointed Conservator of the Person with medical consent powers on 11-1-96. Voting rights affected Petitioner refers to a Capacity Declaration filed 10-29-96 in connection with the previous appointment. Petitioner states there is presently a conservatorship. Resignation of Conservator Na Landseadal was filed 3-21-12. Court Investigator Julie Negrete filed a report on 4-23-12.	
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<input checked="" type="checkbox"/>	CI Report		
<input type="checkbox"/>	9202		
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<input type="checkbox"/>	Status Rpt		
<input type="checkbox"/>	UCCJEA		
<input type="checkbox"/>	Citation		
<input type="checkbox"/>	FTB Notice		

2 Josephine Diaz (Special Needs Trust)

Case No. 11CEPR00138

Atty Barron, Richard B. (for Petitioner/Trustee Perine & Dickens Professional Fiduciaries)

Atty Matlak, Steven (for Objector Janie Jimenez)

Petition of Trustee for Approval of First Account Current, for Approval of Trustees' Fees and for Authorization to Compensate Counsel for the Trustee

			PERINE & DICKENS PROFESSIONAL FIDUCIARIES,	NEEDS/PROBLEMS/COMMENTS:
			Trustee, is petitioner.	
			Account period: 4/1/11 – 1/31/12	Continued from 4/23/12. Minute order states Mr. Barron advises the Court that he recently received objections and requests a continuance.
Cont. from 042312				
	Aff.Sub.Wit.		Accounting - \$228,402.70	1. Attorney costs include copy, postage and fax charges totaling \$31.10. Pursuant to Local Rule 7.17B the above costs are considered by the court to be a part of the cost of doing business and are not reimbursable.
✓	Verified		Beginning POH- \$0	
	Inventory		Ending POH - \$161,984.16	
	PTC		Attorney - \$3,814.10 (per	
	Not.Cred.		itemization and declaration, 20.4 hour @	
✓	Notice of Hrg		Trustees - \$10,854.00 (Trustees	
✓	Aff.Mail	W/	are allowed to pay themselves for services	
	Aff.Pub.		rendered at \$120 per hour not to exceed	
	Sp.Ntc.		\$1,500.00 per month. Trustees have	
	Pers.Serv.		received \$10,680.00 therefore have an	
	Conf. Screen		outstanding balance due of \$174.00)	
	Letters		Current bond is \$270,091.70. Petitioner	
	Duties/Supp		request bond be reduced to \$200,000.	
✓	Objections		Petitioner prays for an Order:	
	Video Receipt		1. Settling Trustee's First Account and	
	CI Report		allowing, confirming and approving all	
	9202		acts and transactions set forth herein;	
✓	Order		2. Approving fees received by the	
	Aff. Posting		Trustees through 1/31/12 and	
	Status Rpt		authorizing the additional sum of	
	UCCJEA		\$174.00;	
	Citation		3. Reducing the bond to \$200,000.00;	
	FTB Notice		4. Authorizing Trustees to pay their	
			attorneys the sum of \$3,814.00 for	
			attorney fees and costs.	
			<i>Please see additional page</i>	
				Reviewed by: KT
				Reviewed on: 4/25/12
				Updates:
				Recommendation:
				File 2 - Diaz

Objections to Petition of Trustee for Approval of First Account filed by Janie Jimenez on 4/20/12.

Objector states she is the sister of Josephine Diaz, beneficiary. The beneficiary has lived in Objector's home for more than 15 year and Objector is her full-time caretaker. The beneficiary requires 24 hour care and supervision and requires a wheel chair for mobility.

As indicated in the accounting the Trustee was authorized and instructed by the Court to expend up to \$71,436.07 of Trust funds to modify the master bathroom, install new flooring, construct wheelchair ramps in the Jimenez home and construct a storage shed in order to accommodate the Beneficiary's wheelchair and other equipment for her special needs.

The Accounting reports payments to Dan's construction in the amount of \$33,796.00 for improvements made to the home through January 31, 2012. Ms. Jimenez believes that significant additional payments have also been made after the accounting period based on statements by the Trustee to her that there is only \$5,000 left for the construction project. Ms. Jimenez has asked the Trustee to provide her with all of the contracts, bills and any paperwork in connection with the work being done on her home, but the Trustee has not yet provided any of this information to her. Ms. Jimenez believes that even the \$33,796 that has been paid to Dan's Construction is unreasonable. She estimates that the project is only about 20% complete. Moreover, the work completed was poorly done and with the cheapest building materials. As a result, several repairs are already required. Ms. Jimenez estimates that the construction work completed on her home thus far is only worth an estimated \$8,000 - \$10,000.

Ms. Jimenez believes the Trustee has been unhelpful in holding Dan's Construction accountable for completing the work it was hired to do. When Ms. Jimenez shared her concerns with the Trustee, one of the Trustees simply replied, "It is what it is."

Wherefore, Janie Jimenez prays for an Order as follows:

1. Directing the Trustee to file an Amended First Account and Petition to Settle the First Account to address the deficiencies set forth above.
2. Directing the Trustee to provide Ms. Jimenez with any and all paperwork related to the construction project, including, without limitation, contracts, bills, and any written communication with Dan's Construction.
3. Surcharging the Trustee for any breaches of fiduciary duty arising out of it conduct in connection with the construction project.
4. For attorney fees and costs.

Declaration of Christopher Kennedy in Support of Petition of Trustee for Approval of First Account filed on 4/20/12 states

Josephine Diaz is totally disabled and lives in the home of her sister and brother-in-law. Because of her disability, Ms. Diaz is dependent on others to purchase all of her personal items for her. For reasons of economy, the practice used by the Trustee in this case has been to rely upon Mr. and Mrs. Jimenez to purchase Ms. Diaz's personal items and then to reimburse them. The check was issued to Ms. Jimenez to reimburse for miscellaneous purchases made. The single largest item was for massage therapy provided to Ms. Diaz by Consuela Valencia. Copies of receipts are attached.

Joan Helen Johnson (Decedent) DOD: 3-1-09	JENNIFER HUGHES and ELIZABETH CORDERO, Daughters and personal representatives of DEWEY E. JOHNSON, Surviving Spouse, are Petitioners.	NEEDS/PROBLEMS/ COMMENTS:
Dewey E. Johnson (Surviving Spouse) DOD: 9-26-11	No other proceedings.	
	Petitioners request court confirmation that ½ interest in real properties, investment accounts, bank accounts, 2006 Lexus, personal property and furniture and furnishings belongs to DEWEY E. JOHNSON, and that ½ interest passes to him.	<u>SEE PAGE 2</u>
Aff.Sub.Wit.		
Verified	X	
Inventory		
PTC		
Not.Cred.		
Notice of Hrg		
Aff.Mail		
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Duties/Supp		
Objections		
Video Receipt		
CI Report		
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Status Rpt		
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Citation		
FTB Notice	<p>Attorney St. Louis' Memorandum of Points and Authorities filed 4-6-12 states: Decedent's will dated 12-17-1982 that was previously submitted in connection with the prior Spousal Property Petition was not the Decedent's last will and the attorney did not realize until the hearing that it was an earlier will than was attached to the 850 Petition for the Surviving Spouse's trust (Case #12CEPR00037).</p> <p>In Case #12CEPR00037 (Dewey E. Johnson Living Trust dated 4-15-11), Petitioners, as trustees, requested Court confirmation pursuant to Probate Code §850 that the entirety of the community property assets of the Decedent Joan Helen Johnson and the Surviving Spouse Dewey E. Johnson are subject to Surviving Spouse Dewey E. Johnson's living trust. (<i>Examiner notes that trust was created after Decedent's death</i>).</p> <p>Attorney St. Louis states the Court expressed reluctance to confirm Decedent Joan Helen Johnson's community property interest in the assets to the trust due to the lack of jurisdiction. Attorney St. Louis also states the Court's reluctance may have also been in part due to the discrepancy in the supporting documents provided.</p> <p>Attorney St. Louis states Petitioners are the sole heirs under the will of their mother Joan Helen Johnson, and under both the will and trust of their father, Dewey E. Johnson. The Court has the power to appoint the Petitioners Special Administrators/Personal Representatives of the estate of their late father, with the right to file the Petition, and to confirm that their father, Dewey E. Johnson succeeded to the community property interest of his late wife Joan in their community property. Petitioners filed an 850 Petition seeking confirmation of the intent of their late father to convey both his community property interest and the community property interest of his deceased wife to the trust. The court has Power to authorize and direct the petitioners as trustees of the trust to execute and deliver all documents necessary to establish such ownership in the trust.</p>	<p>Reviewed by: KT / skc</p> <p>Reviewed on: 4-25-12</p> <p>Updates:</p> <p>Recommendation:</p> <p>File 3 - Johnson</p>

NEEDS/PROBLEMS/COMMENTS:

1. This Amended Petition filed 4-6-12 is not verified by the Petitioners pursuant to Probate Code §1021.

2. Need authority to proceed. It does not appear that Petitioners have standing to bring this Petition.

Examiner notes that under Probate Code §13650 (*a summary proceeding*) a Spousal Property Petition may be brought by a surviving spouse or a personal representative of the surviving spouse's estate.

Surviving Spouse DEWEY E. JOHNSON post-deceased the Decedent (DOD: 9-26-11). Petitioners state at #2b that they are the personal representatives of the surviving spouse's estate; however, they have not been appointed as personal representatives of his estate. Further, the Supplement to the original Petition filed 2-24-12 previously explained that Petitioners do not expect to file a petition for probate or obtain letters.

Attorney St. Louis' Memorandum of Points and Authorities suggests that the Court has authority to appoint Petitioners as special administrators of the estate in order to file this Spousal Property Petition. However, Petitioners did not file a Petition for Letters of Special Administration. A separate petition is required.

3. The Supplement to the original Petition filed 2-24-12 (*which also was not a verified document*) attached a copy of a will dated 12-17-1982 that confirmed to the surviving spouse his community property interest in their community property, but devised a portion of her interest in the community property to a testamentary trust. The Examiner Notes for the hearing on 2-28-12 pointed out that the petition could not be granted pursuant to this will, among other issues.

Attorney St. Louis' Memorandum of Points and Authorities now attaches the first page only of a file-stamped copy of a later will that was deposited with the Court, and provides a complete but unsigned copy of that will. Attorney St. Louis states the original deposited will that was deposited with the Court is signed, and also refers to a signed copy that was attached to a petition in another case (Case #12CEPR00037 Dewey E. Johnson Living Trust); however, does not provide a signed copy with this Amended Petition as required by Probate Code §13651(b).

If this petition goes forward, a copy of the signed will that is referenced must be provided for this case pursuant to Probate Code §13651(b).

Note: It is a petitioner's responsibility to obtain a copy of the will that is referenced in the petition, even if it was previously deposited with the Court or filed in another case. The Court cannot do this search and copy work for the attorney unless requested, and for a fee, and even then, the petitioner must take the appropriate action to file the documentation in a file-able format in the appropriate case.

4. This Amended Petition requests Court confirmation that Surviving Spouse Dewey E. Johnson's ½ community property interest in the assets belongs to him (or his estate) at #7b; however, pursuant to Court order on 2-28-12 in Case #12CEPR00037, Surviving Spouse Dewey E. Johnson's community property interest in these assets have already been confirmed as assets of the Dewey E. Johnson Living Trust dated 4-15-11.

Therefore, the Court cannot make the order requested at #7b. (*Examiner notes, however, that no order was submitted for signature after that hearing.*)

Note: The Examiner Notes from the 2-28-12 hearing (provided on the left side of the file for your reference) did not reference jurisdiction as described by the attorney in the Memorandum of Points and Authorities. The Examiner Notes simply pointed out the deficiencies in the petition of petitioners' standing, verification issue, and the fact that the attached will did not support the petitioners' request.

Case No. 12CEPR00163

**4 Charles Robert Fitzgerald aka Robert Fitzgerald aka Charles R. Fitzgerald
aka Charles Fitzgerald aka Bob Fitzgerald aka C. Robert Fitzgerald aka C.
Bob Fitzgerald (Estate)**

Atty Gin, Robert W. (for Susie Fitzgerald – spouse/Petitioner)

**Petition for Probate of Will and for Letters Testamentary; Authorization to
Administer Under IAEA (Prob. C. 8002, 10450)**

DOD: 12/04/11			<p>SUSIE FITZGERALD, spouse/named Executor without bond, is Petitioner.</p> <p>Full IAEA – OK</p> <p>Will dated: NEED COPY OF SIGNED WILL</p> <p>Residence: Fowler Publication: Fowler Ensign</p> <p><u>Estimated Value of the Estate:</u> Personal property - \$251,860.80 Real property - 90,000.00 Total - \$341,860.80</p> <p>Probate Referee: RICK SMITH</p>	<p>NEEDS/PROBLEMS/COMMENTS:</p> <p><u>CONTINUED FROM 03/26/12</u> As of 04/26/12, the following issues remain:</p> <p>1. Copy of will attached to the Petition is not a copy of a signed will. Need copy of signed will.</p>
Cont. from 032612				
<input type="checkbox"/>	Aff.Sub.Wit.	x		
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✓	Notice of Hrg			
✓	Aff.Mail	w/		
✓	Aff.Pub.			
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<input type="checkbox"/>	Conf. Screen			
✓	Letters			
✓	Duties/Supp			
<input type="checkbox"/>	Objections			
<input type="checkbox"/>	Video Receipt			
<input type="checkbox"/>	CI Report			
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✓	Order			
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<input type="checkbox"/>	FTB Notice			
			<p>Reviewed by: JF</p> <p>Reviewed on: 04/26/12</p> <p>Updates:</p> <p>Recommendation:</p> <p>File 4 - Fitzgerald</p>	

Spousal or Domestic Partner Property Petition (Prob. C. 13650)

DOD: 11-15-11		LIZIBET E. ROUSSEAU , Surviving Spouse, is Petitioner. No other proceedings. Decedent died intestate. Petitioner requests court confirmation that certain accounts at EECU, Union Bank, Fresno Police Dept. Credit Union, Crowell, Weedon & Co., and CapitalSource Bank pass to her.	NEEDS/PROBLEMS/COMMENTS: 1. Need facts upon which the petition is based per #7. <i>For example: When were Petitioner and the Decedent married? Were these accounts community property? What are the circumstances that made them community property?</i> 2. Need order.	
	Aff.Sub.Wit.			
✓	Verified			
	Inventory			
	PTC			
	Not.Cred.			
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	Order	X		
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	UCCJEA			
	Citation			
	FTB Notice			
			Reviewed by: skc Reviewed on: 4-26-12 Updates: Recommendation: File 5 - Rousseau	

Spousal or Domestic Partner Property Petition (Prob. C. 13650)

DOD: 12/15/11		<p>LEWANNA PARKER, surviving spouse, is Petitioner.</p> <p>No other proceedings.</p> <p>Decedent died intestate.</p> <p>Petitioner states that she and the decedent were married on August 31, 1996 and remained married until the decedent's death. In May of 2003, Petitioner and the decedent purchased their home from Centex Homes, whom the decedent worked for at the time. For purposes of financing, only the decedent was named on the mortgage and Petitioner signed a grant deed transferring her interest in the property to the decedent as his sole and separate property. Petitioner states that it was always the understanding of both decedent and Petitioner that the home was community property and that the grant deed was executed by Petitioner solely for financing purposes. The funds for the down payment and all mortgage payments, homeowner's insurance, property taxes, and maintenance on the residence was paid with community property. Decedent's illness that led to his death progressed rapidly and as such, decedent and petitioner were not able to add Petitioners name to the title, although they discussed doing so.</p> <p>Petitioner requests court confirmation that decedent's 100% interest in real property located at 2867 San Gabriel, Clovis, CA passes to her.</p>	<p>NEEDS/PROBLEMS/COMMENTS:</p> <p><u>Note:</u> The decedent is survived by his wife and four minor children. Pursuant to Intestate Succession, (Pr.C. 6401) with regard to separate property when a decedent leaves more than one child, the surviving spouse is entitled to one-third of the intestate estate. If the Court determines that the property was community property as alleged, the surviving spouse is entitled to the decedent's ½ community property interest. Petitioner is not requesting court confirmation of her own ½ interest in the community property.</p>	
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<input type="checkbox"/>	Citation			
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Petition for Probate of Will and for Letters Testamentary; Authorization to Administer Under IAEA (Prob. C. 8002, 10450)

DOD:6-14-08		DOROTHY A. HARRIET , Daughter and named alternate executor without bond, is Petitioner. Full IAEA – ok Will dated 4-24-95 Residence: Fresno Publication: Fresno Business Journal Estimated value of estate: Personal property: \$ 215,000.00 Annual income: \$ 5,000.00 Total: \$ 220,000.00 Probate referee: Rick Smith	NEEDS/PROBLEMS/COMMENTS: 1. Need date of death of deceased spouse per Local Rule 7.1.1.D. 2. Need order. 3. Need letters.	
<input type="checkbox"/>	Aff.Sub.Wit.			S/P
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<input type="checkbox"/>	Letters			X
✓	Duties/Supp			
<input type="checkbox"/>	Objections			
<input type="checkbox"/>	Video Receipt			
<input type="checkbox"/>	CI Report			
<input type="checkbox"/>	9202			
<input type="checkbox"/>	Order			X
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<input type="checkbox"/>	Citation			
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			Reviewed by: skc	
			Reviewed on: 4-26-12	
			Updates:	
			Recommendation:	
			File 7 - Harriet	

Petition for Letters of Administration; Authorization to Administer Under IAEA
(Prob. C. 8002, 10450)

DOD: 3/7/2012		PUBLIC ADMINISTRATOR is petitioner and requests appointment as Administrator. Full IAEA – o.k. Decedent died intestate. Residence: Fresno Publication: Fresno Business Journal <u>Estimated value of the estate:</u> Real property - \$178,550.00 Probate Referee: STEVEN DIEBERT	NEEDS/PROBLEMS/COMMENTS: 1. #5.a.(5)(a) of the petition indicates the decedent is survived by a child however no children of the decedent are listed at # 8. 2. #5.a.(7) of the petition indicates the decedent was survived by issue of a predeceased child however no issue of a predeceased child is listed at #8.	
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<input type="checkbox"/>	Aff.Sub.Wit.			
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✓	Letters			
<input type="checkbox"/>	Duties/Supp			
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<input type="checkbox"/>	9202			
✓	Order			
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<input type="checkbox"/>	Status Rpt			
<input type="checkbox"/>	UCCJEA			
<input type="checkbox"/>	Citation			
<input type="checkbox"/>	FTB Notice			
			Reviewed by: KT	
			Reviewed on: 4/26/12	
			Updates:	
			Recommendation:	
			File 8 - Anderson	

DOD: 1/21/2012		ALYSON LYN CLAYBAUGH, daughter, is petitioner. 40 days since DOD. No other proceedings. Will dated: 11/8/11 – devises entire estate to petitioner/daughter, Alyson Lyn Claybaugh. I & A - \$136,316.44 Petitioner requests Court determination that Decedent's 100% interest in real property located in Fresno and personal property consisting of cash in the amount of \$21,316.44 passes to her pursuant to the Decedent's Will.	NEEDS/PROBLEMS/COMMENTS: 1. Inventory and appraisal is incomplete at item #5 re: property tax certificate.	
Cont. from				
<input type="checkbox"/>	Aff.Sub.Wit.			
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			Reviewed by: KT Reviewed on: 4/26/12 Updates: Recommendation: File 9 - Gill	

Petition to Determine Succession to Real Property (Prob. C. 13151)

DOD: 11-15-87			<p>STELLA HENNESSY, Surviving Spouse, is Petitioner.</p> <p>40 days since DOD</p> <p>No other proceedings</p> <p>Decedent died intestate</p> <p>Petitioners requests Court determination that Decedent's .025 overriding royalty interest in two federal oil leases (valued at \$1.00 each) passes to her pursuant to intestate succession.</p>	<p>NEEDS/PROBLEMS/COMMENTS:</p> <p>1. Need clarification. If the assets were the Decedent's separate property, they would pass 1/3 each to the spouse and the two daughters per Probate Code §6401, not to the Petitioner alone.</p> <p>2. The assets inventoried were specific: .025 overriding royalty interest in two federal oil leases valued at \$1.00 each (\$2.00 total).</p> <p>The proposed order passes "<i>all of Decedent's right, title and interest (believed to be a .025 overriding royalty interest)....</i>"</p> <p>The order must mirror the petition and state the <u>specific</u> interest in the assets being passed pursuant to the Petition and Inventory and Appraisal.</p>
	Aff.Sub.Wit.			
✓	Verified			
	Inventory			
	PTC			
	Not.Cred.			
✓	Notice of Hrg			
✓	Aff.Mail	W/O		
	Aff.Pub.			
	Sp.Ntc.			
	Pers.Serv.			
	Conf. Screen			
	Letters			
	Duties/Supp			
	Objections			
	Video Receipt			
	CI Report			
	9202			
✓	Order			
	Aff. Posting			
	Status Rpt			
	UCCJEA			
	Citation			
	FTB Notice			
			Reviewed by: skc	
			Reviewed on: 4-26-12	
			Updates:	
			Recommendation:	
			File 10 - Hennessy	

Petition for Probate of Will and for Letters Testamentary; Authorization to Administer Under IAEA (Prob. C. 8002, 10450)

DOD: 3/9/12			MICHAEL A. HARRIS and HILARY A. RODRIGUEZ , named alternate executors without bond, are petitioners. Full IAEA – o.k. Will dated: 6/21/04 Residence: Fresno Publication: Fresno Business Journal <u>Estimated value of the estate:</u> Personal property - \$100,000.00 Annual income - \$ 1,000.00 Real property - <u>\$335,000.00</u> Total - \$436,000.00 Probate Referee: STEVEN DIEBERT	NEEDS/PROBLEMS/COMMENTS:
Cont. from				
✓	Aff.Sub.Wit.	S/P		
✓	Verified			
	Inventory			
	PTC			
	Not.Cred.			
	Notice of Hrg			
✓	Aff.Mail	w/		
✓	Aff.Pub.			
	Sp.Ntc.			
	Pers.Serv.			
	Conf. Screen			
✓	Letters			
✓	Duties/Supp			
	Objections			
	Video Receipt			
	CI Report			
	9202			
✓	Order			
	Aff. Posting			
	Status Rpt			
	UCCJEA			
	Citation			
	FTB Notice			
			Reviewed by: KT Reviewed on: 4/26/12 Updates: Recommendation: SUBMITTED File 11 - Harris	

Age: 5 years DOB: 12/1/05	JEFFREY HALSTEAD and JENNIFER HALSTEAD (non-relatives) were appointed as guardians on 10/23/08.	NEEDS/PROBLEMS/COMMENTS: Continued from 1/19/12. Minute Order states that the Court orders that monthly testing continue and mother submit herself to a hair follicle test every month. The Court advises the parties that it is treating the January 2012 test as a negative test. The Court orders mother to submit herself for three hair follicle tests between now and the next hearing. Mother is ordered to submit to a hair follicle test today [1/19/12]. In the event that Ms. Brungess receives and copy of the test results, she is to provide mother a copy.
	Petitioners filed an Ex Parte Petition on 12/3/10 regarding the visitation. Petition alleges mother has tested positive for drugs and states a drug user does not provide a safe, healthy, stable environment for the minor. Copy of positive drug test attached to the petition.	
	The Court set the matter for hearing.	
Cont. from 101911, 011912	<i>Minute order from the hearing on 2/23/11</i> states counsel advises the court that one of Ms. Rodriguez's tests came back positive for drugs. Visitation remains as previously ordered. The Court orders that before Ms. Rodriguez may petition the court for a modification she must have negative test results for four months. Ms. Brungess to prepare the order.	
Aff.Sub.Wit.		
Verified		
Inventory		
PTC		
Not.Cred.		
Notice of Hrg		
Aff.Mail		
Aff.Pub.		
Sp.Ntc.		
Pers.Serv.		
Conf. Screen		
Letters		
Duties/Supp		
Objections		
Video Receipt		
CI Report		
9202		
Order		
Aff. Posting		
Status Rpt		
UCCJEA		
Citation		
FTB Notice		
	<i>Minute order from 8/24/11</i> states Ms. Brungess advises the court that the mother has refused to drug test since January 2011, and it appears that she has been under the influence during visits. The Court orders that all visits between the mother, Jennifer Rodriguez and Sean cease immediately until further order of the Court. The Court indicates for the record that it is not ordering mother to attend AA/NA three times per week, but wishes to see proof of the mother's self-initiated attendance. The Court orders the mother to drug test as previously ordered. All prior orders not modified remain in full force and effect. The court on its own mother set case no. 08CEPR00598 (see page 15) for further status on 10/19/11. Richard Ruiz is ordered to be present at the hearing. Minute order indicates that Richard Ruiz was present in court on 8/24/11.	1. Need current status report.
		Reviewed by: KT
		Reviewed on: 4/25/12
		Updates:
		Recommendation:
		File 12 – O'Dougherty

Minute Order from 10/19/11 states Counsel advises the Court that mother Jennifer Rodriguez tested positive for methamphetamine in August, was late for her test in September, and refused to be tested in October. Proof of attendance at AA/NA is show to the Court by the mother, and the Court finds substantial compliance. The Court advises the mother that she will need to provide three clean tests. The Court orders the mother to get tested within one week and continue testing once per month. The Court is advised that the mother has made some phone calls to the child. The Court encourages mother to make phone calls to the child. Visitation is not ordered at this time. The Court orders all prior orders remain in full force and effect.

Declaration of Pamela Halstead filed on 1/18/12 states Jennifer Rodriguez, mother, is obligated to submit to a hair follicle test once per month, upon notice from them as guardians.

Ms. Halstead states they have requested Ms. Rodriguez submit to these tests in the months of September through December, 2011, and Ms. Rodriguez has failed to make herself available each month.

After the last court hearing on 10/19/2011, the Court specifically order Ms. Rodriguez to test following that appearance and she failed to do so. Based on Ms. Rodriguez's failure to comply with the Court's order, Ms. Halstead asks that the court discontinue these review hearings and instead offer Ms. Rodriguez the opportunity to petition for modification of the current no-visitation orders after she has tested clean for four consecutive months.

13 Madison V. O'Dougherty (GUARD/P)

Case No. 08CEPR00598

Atty Ruiz, Renee M. (pro per Guardian)

Atty Ruiz, Richard (pro per Guardian)

Atty Rodriguez, Jenifer (pro per mother)

Further Status

Age: 8 years DOB: 2/26/03	<p>RENEE RUIZ and RICHARD RUIZ, maternal aunt and uncle, were appointed guardians on 8/18/08.</p> <p>The Court on its own motion set this matter for further states per minute order dated 8/24/11 in the Guardianship of Sean O'Dougherty, case no. 08CEPR00596. Minute order indicates that Richard Ruiz was present in court on 8/24/11.</p> <p><i>Minute Order from 10/19/11</i> states Counsel advises the Court that mother Jennifer Rodriguez tested positive for methamphetamine in August, was late for her test in September, and refused to be tested in October. Proof of attendance at AA/NA is show to the Court by the mother, and the Court finds substantial compliance. The Court advises the mother that she will need to provide three clean tests. The Court orders the mother to get tested within one week and continue testing once per month. The Court is advised that the mother has made some phone calls to the child. The Court encourages mother to make phone calls to the child. Visitation is not ordered at this time. The Court orders all prior orders remain in full force and effect.</p>	NEEDS/PROBLEMS/COMMENTS:
		<p>Continued from 1/19/12. Minute Order states that the Court orders that monthly testing continue and mother submit herself to a hair follicle test every month. The Court advises the parties that it is treating the January 2012 test as a negative test. The Court orders mother to submit herself for three hair follicle tests between now and the next hearing. Mother is ordered to submit to a hair follicle test today [1/19/12]. In the event that Ms. Brungess receives and copy of the test results, she is to provide mother a copy.</p>
Cont. from 101911, 011912		
Aff.Sub.Wit.		
Verified		
Inventory		
PTC		
Not.Cred.		
Notice of Hrg		
Aff.Mail		
Aff.Pub.		
Sp.Ntc.		
Pers.Serv.		
Conf. Screen		
Letters		
Duties/Supp		
Objections		
Video Receipt		
CI Report		
9202		
Order		
Aff. Posting		
Status Rpt		
UCCJEA		
Citation		
FTB Notice		
		Reviewed by: KT
	Reviewed on: 4/25/12	
	Updates:	
	Recommendation:	
	File 13 – O'Dougherty	

14A Vang Minors (GUARD/P)

Case No. 06CEPR00894

Atty Carrasco, Chue Vang (pro per Petitioner/Guardian of Noah/paternal uncle)
 Atty Carrasco, Octavio (pro per Petitioner/Guardian of Noah/paternal aunt)
 Atty Espinoza, Xiong (pro per paternal aunt)
 Atty Boyajian, Thomas M (for maternal grandparents, Terry Moua and Cynthia Moua)

Amended Petition for Visitation Modification (filed by Chue V Carrasco)

Noah age: 7 years DOB: 1/13/2005		CHUE CARRASCO , paternal aunt/guardian, is petitioner.	NEEDS/PROBLEMS/COMMENTS: This petition is as to Noah Vang only.
Christian age: 2 years DOB: 11/18/2009			
Jacob age: 1 year DOB: 12/6/2010		CHUE CARRASCO and OCTAVIO CARRASCO , paternal aunt and uncle, were appointed guardians of <u>NOAH only</u> on 1/30/2012.	
Cont. from		Father: YEE VANG	
	Aff.Sub.Wit.		
✓	Verified	Mother: MICHELLE MOUA	
	Inventory		
	PTC	Paternal grandfather: <i>deceased</i> .	
	Not.Cred.	Paternal grandmother: Neng Lee	
✓	Notice of Hrg	Maternal grandfather: Terry Moua	
✓	Aff.Mail	Maternal grandmother: Cynthia Moua	
	Aff.Pub.	Current Visitation Order per Minute Order dated 2/16/12 and amended by Minute Order dated 3/26/12. All three children have visits with the maternal grandparents, Terry Moua and Cynthia Moua every 1 st , 3 rd and 5 th weekend starting on Friday at 6:00 p.m. to Sunday at 6:00 p.m.	
	Sp.Ntc.		
	Pers.Serv.		
	Conf. Screen		
	Letters		
	Duties/Supp		
	Objections	Petitioner states Terry and Cynthia Moua allowed Yee Vang to live in their home during an on-going court ordered protective order. On 3/22/12 Yee was arrested and charged with violation of a domestic violence protective order.	
	Video Receipt		
	CI Report		
	9202		
	Order	X	
	Aff. Posting	One of the reasons Petitioner states they sought guardianship was because the parents subject the minor to domestic violence.	
	Status Rpt		
	UCCJEA		
	Citation	Petitioner states she is concerned about Terry and Cynthia Moua's ability to make decisions that will truly be in the best interest of the minor.	
	FTB Notice	<i>Please see additional page</i>	
Reviewed by: KT			
Reviewed on: 4/25/12			
Updates:			
Recommendation:			
File 14A - Vang			

14A

Petitioner states on 3/27/12 Cynthia Moua trespassed into Petitioner's home and demanded that she be allowed to pick up Christian and Jacob. She provoked a disturbance in front of the children, frightening them. She also threatened to perform witchcraft so that Petitioner would die. The police were called and Cynthia alleged that she was attacked by the Petitioner contrary to witness statements.

Petitioner requests visits to be changed to one day per month.

14B Noah Vang, Christian Vang and Jacob Vang (GUARD/P)

Case No. 06CEPR00894

Atty Carrasco, Chue Vang (pro per Petitioner/Guardian of Noah/paternal uncle)
Atty Carrasco, Octavio (pro per Petitioner/Guardian of Noah/paternal aunt)
Atty Espinoza, Xiong (pro per Petitioner/paternal aunt)
Atty Boyajian, Thomas M (for maternal grandparents, Terry Moua and Cynthia Moua)

Petition for Visitation Modification (filed by Xiong Espinoza)

Noah age: 7 years DOB: 1/13/2005			<div><u>Temporary Expires on 5/3/12</u></div> <div>XIONG ESPINOZA, paternal aunt, is petitioner.</div> <div>Father: YEE VANG</div> <div>Mother: MICHELLE MOUA</div> <div>Paternal grandfather: <i>deceased</i>. Paternal grandmother: Neng Lee Maternal grandfather: Terry Moua Maternal grandmother: Cynthia Moua</div> <div>Current Visitation Order per Minute Order dated 2/16/12 and amended by Minute Order dated 3/26/12. All three children have visits with the maternal grandparents, Terry Moua and Cynthia Moua every 1st, 3rd and 5th weekend starting on Friday at 6:00 p.m. to Sunday at 6:00 p.m.</div> <div>Petitioner states Cynthia and Terry Moua have been negligent in ensuring the safety of the children in that they allow the father and father to reside in their home. Cynthia and Terry were aware of a domestic violence protective order against the father and they still allowed him in their home. The father moved into the home on or about 3/12/12 the same weekend that the children were scheduled to visit. Petitioner has concerns that Cynthia and Terry will fail to protect the children from their parents.</div> <div>Petitioner further states that during the visits Cynthia and Terry have failed to ensure that Jacob receives his prescribed medications. Petitioner states she sent the minor with 8 vials for his breathing machine. She instructed Cynthia on how to use the machine and the dosage and when the minor returned there were 6 vials left.</div>	NEEDS/PROBLEMS/COMMENTS:		
Christian age: 2 years DOB: 11/18/2009				This petition is as to Christian Vang and Jacob Vang only.		
Jacob age: 1 year DOB: 12/6/2010				<u>Note:</u> There is a trial set for 5/3/12 at 1:30 p.m.in Dept. 303 regarding the competing petitions for guardianship of Christian Vang and Jacob Vang, filed by the maternal grandparents, Terry Moua and Cynthia Moua and the paternal aunt Xiong Espinoza.		
Cont. from						
	Aff.Sub.Wit.					
✓	Verified					
	Inventory					
	PTC					
	Not.Cred.					
✓	Notice of Hrg					
✓	Aff.Mail					
	Aff.Pub.					
	Sp.Ntc.					
	Pers.Serv.					
	Conf. Screen					
	Letters					
	Duties/Supp					
	Objections					
	Video Receipt					
	CI Report					
	9202					
	Order	X				
	Aff. Posting		Reviewed by: KT			
	Status Rpt		Reviewed on: 4/25/12			
	UCCJEA		Updates:			
	Citation		Recommendation:			
	FTB Notice		File 14C - Vang			

14B

Dept. 303, 9:00 a.m. Thursday, May 3, 2012

Petition for Probate of Will and for Letters Testamentary; Authorization to Administer Under IAEA (Prob. C. 8002, 10450)

DOD: 1/11/10 Cont. from 021612, 040512 <input checked="" type="checkbox"/> Aff.Sub.Wit. <input checked="" type="checkbox"/> Verified <input type="checkbox"/> Inventory <input type="checkbox"/> PTC <input type="checkbox"/> Not.Cred. <input type="checkbox"/> Notice of Hrg <input checked="" type="checkbox"/> Aff.Mail W/ <input checked="" type="checkbox"/> Aff.Pub. <input type="checkbox"/> Sp.Ntc. <input type="checkbox"/> Pers.Serv. <input type="checkbox"/> Conf. Screen <input checked="" type="checkbox"/> Letters <input checked="" type="checkbox"/> Duties/Supp <input type="checkbox"/> Objections <input type="checkbox"/> Video Receipt <input type="checkbox"/> CI Report <input type="checkbox"/> 9202 <input type="checkbox"/> Order X <input type="checkbox"/> Aff. Posting <input type="checkbox"/> Status Rpt <input type="checkbox"/> UCCJEA <input type="checkbox"/> Citation <input type="checkbox"/> FTB Notice	<p>JENNIE ORONA, spouse, is petitioner and requests appointment as Executor without bond.</p> <p>Full IAEA – o.k.</p> <p>Will dated: 9/10/1997</p> <p>Residence: Fresno Publication: Fresno Bee</p> <p><u>Estimated Value of the Estate:</u></p> <table style="width: 100%;"> <tr> <td>Personal property</td> <td>-</td> <td>\$15,000.00</td> </tr> <tr> <td>Real property</td> <td>-</td> <td>\$53,000.00</td> </tr> <tr> <td>Total</td> <td>-</td> <td>\$68,000.00</td> </tr> </table> <p>Probate Referee: STEVEN DIEBERT</p>	Personal property	-	\$15,000.00	Real property	-	\$53,000.00	Total	-	\$68,000.00	<p>NEEDS/PROBLEMS/COMMENTS:</p> <p>Continued from 4/5/12. As of 4/25/12 the following issues remain:</p> <ol style="list-style-type: none"> 1. Witness signatures on the will are not dated. 2. Rosa Falcon, named alternate executor was not included on #8 of the petition. 3. Need proof of service of the <i>Notice of Petition to Administer the Estate</i> on Rosa Falcon, named alternate executor. Probate Code §8110. 4. Need Order
Personal property	-	\$15,000.00									
Real property	-	\$53,000.00									
Total	-	\$68,000.00									
		<table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <td>Reviewed by: KT</td> </tr> <tr> <td>Reviewed on: 4/25/12</td> </tr> <tr> <td>Updates:</td> </tr> <tr> <td>Recommendation:</td> </tr> <tr> <td>File 15 - Orona</td> </tr> </table>	Reviewed by: KT	Reviewed on: 4/25/12	Updates:	Recommendation:	File 15 - Orona				
Reviewed by: KT											
Reviewed on: 4/25/12											
Updates:											
Recommendation:											
File 15 - Orona											

Petition for Appointment of Temporary Guardian of the Person (Prob. C. 2250)

<div> <div>Age: 1 month</div> <div>DOB: 4/6/2012</div> </div> <div> <div>Cont. from</div> <div> <div>Aff.Sub.Wit.</div> <div> <div>✓</div> <div>Verified</div> </div> <div>Inventory</div> <div>PTC</div> <div>Not.Cred.</div> <div> <div>Notice of Hrg</div> <div>X</div> </div> <div>Aff.Mail</div> <div>Aff.Pub.</div> <div>Sp.Ntc.</div> <div> <div>Pers.Serv.</div> <div>X</div> </div> <div> <div>✓</div> <div>Conf. Screen</div> </div> <div> <div>✓</div> <div>Letters</div> </div> <div> <div>✓</div> <div>Duties/Supp</div> </div> <div>Objections</div> <div>Video Receipt</div> <div>CI Report</div> <div>9202</div> <div> <div>✓</div> <div>Order</div> </div> <div>Aff. Posting</div> <div>Status Rpt</div> <div>UCCJEA</div> <div>Citation</div> <div>FTB Notice</div> </div> </div>	<div> <div>GENERAL HEARING 6/25/12</div> <div> <p>JUAN RENDON, maternal grandfather, and BRENDA SAUCEDO, maternal step-grandmother, are petitioners.</p> <p>Father: UNKNOWN</p> <p>Mother: JENNIFER RENDON</p> <p>Paternal grandparents: unknown</p> <p>Maternal grandmother: Connie Rendon</p> <p>Petitioners state the mother tested positive for meth during labor. The home where the mother lives is not suitable for a child. The mother has a drug problem and so does her boyfriend. CPS asked them to file this petition.</p> </div> </div>	<div> <div>NEEDS/PROBLEMS/COMMENTS:</div> <div> <div>1. Need <i>Notice of Hearing</i>.</div> <div>2. Need proof of <u>personal</u> service of the <i>Notice of Hearing</i> along with a copy of the <i>Temporary Petition or Consent and Waiver of Notice or Declaration of Due Diligence</i> on: <div> a. Jennifer Rendon (mother) b. Father (unknown) </div> </div> </div> <div> <div>Reviewed by: KT</div> <div>Reviewed on: 4/26/12</div> <div>Updates:</div> <div>Recommendation:</div> <div>File 17 - Rendon</div> </div> </div>
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